IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 8797 of 2005

Between:

1 B. Subhas, S/o. Sankarappa,
R/o. Cheemalpad (V), Kangti Mandal, Medak District.
2 S. Ramulu, S/o. Yellappa,
R/o. Turkawadgon (V), Kangti Mandal, Medak District.
3 B. Shankarappa, S/o. Havappa,
R/o. Naganpally (V), Kangti Mandal, Medak District.

...PETITIONERS

AND

1 The Mandal Revenue Officer, Kangti Mandal, Medak District.
2 The Collector (CS), Medak District, at Sangareddy.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, order or directions declaring the action of the 1st respondent in not supplying kerosene quota to the Petitioners even during the subsistence of their licenses as illegal, arbitrary, malafide and without jurisdiction and consequently direct the respondents to supply kerosene for the month of April, 2005 and onwards to the Petitioners and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.K.RAJI REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

O R D E R:

Challenging the inaction on the part of the respondents in not supplying kerosene to them, the petitioners filed the writ petition.

Petitioners are licensed retail kerosene dealers of different villages and their grievance is that the first respondent stopped supplying kerosene to them from the month of February 2005, without there being any irregularities complained against them, and despite the fact that their authorizations as such are in subsistence.

When the matter was taken up on 20-4-2005, the learned Government Pleader for Civil Supplies sought time for getting instructions and hence the matter was adjourned to today. But, even as on today also the learned GP was unable to get instructions.

Further, the learned counsel for the petitioners relied on the order of a learned Judge of this Court in W.P. No. 7710 of 2005, wherein, under the similar set of facts, the learned Judge directed the respondents therein to supply kerosene to the petitioner therein for being distributed to the cardholders, if no irregularity against the petitioner and if the licence of the petitioner as such is in subsistence.

Since, the facts and circumstances of the above case and the facts of the case on hand are similar, I deem it appropriate to dispose of the present writ petition also, with a direction to the respondents to supply kerosene to the petitioners for being distributed to the cardholders, if no irregularities are found against the petitioners and if their licences as such are in subsistence. No costs.

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26th April 2005

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To

1 The Mandal Revenue Officer, Kangti Mandal, Medak District.
2 The Collector (CS), Medak District, at Sangareddy.

3 Two CCs to GP for Civil Supplies, High Court Buildings, Hyderabad.

4 Two CD copies.